

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION AT CLEVELAND**

In re:)	Case No. 1:17-md-02807-JSG
)	
SONIC CORP. CUSTOMER DATA)	Judge James S. Gwin
BREACH LITIGATION)	

**PLAINTIFFS' RENEWED MOTION TO EXTEND THE DEADLINE
FOR FILING A MOTION FOR PRELIMINARY APPROVAL
AND REFERRAL BACK TO MEDIATION**

On September 11, 2018, the Parties filed a joint motion requesting a referral back to mediation and an extension of the deadline to file a Motion for Preliminary Approval (the "Prior Motion"). [Dkt. # 127]. As set forth in the accompanying Memorandum in Support, the Parties are unable to finalize the Settlement Agreement and are in need of an Order from this Court referring the matter back to Magistrate Judge Jonathan D. Greenberg. Upon the resolution of the Parties' impasse, Plaintiffs are prepared to file the Motion for Preliminary Approval.

Accordingly, Plaintiffs respectfully request an Order from this Court referring the matter back to Magistrate Judge Jonathan D. Greenberg and extending the deadline for the filing the Motion for Preliminary Approval until one week after the mediation with Judge Greenberg.

Dated: September 25, 2018

Respectfully Submitted,

/s/ William B. Federman

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Plaintiffs' Steering Committee

MEMORANDUM IN SUPPORT

This Motion is brought on behalf of the Plaintiffs. The Parties participated in a Mediation/Settlement Conference with Magistrate Judge Greenberg on August 3, 2018 and August 10, 2018 in Cleveland, Ohio. On August 10, 2018, the Parties reached agreement on the principal and material terms of a class-wide settlement. On August 16, 2018, the Parties filed their *Notice of Settlement Notice and Joint Motion to Stay Discovery and Suspend Court Deadlines*. [Doc. #122]. On August 24, 2018 the Parties filed a *Stipulated Motion to Extend the Deadline for Filing a Motion for Preliminary Approval* (the “Stipulated Motion”). [Doc. #125]. On August 29, 2018 this Court entered its Order granting the Parties’ Stipulated Motion for Extension of Time and granting the Motion to Stay. [Non-Doc Order]. On September 11, 2018, the Parties filed the *Joint Motion to Extend the Deadline for Filing a Motion for Preliminary Approval and Joint Motion for Referral Back to Mediation* (the “Prior Motion”). In the Prior Motion, the Parties requested a referral back to mediation with Magistrate Judge Jonathan D. Greenberg and an extension of the deadline to file a Motion for Preliminary Approval to September 25, 2018.

Since the filing of the Prior Motion, the Parties have continued to engage in good faith negotiations as to the specific terms of the Settlement Agreement but have been unable to resolve the disagreement. Accordingly, Plaintiffs renew their request for an order of referral back to Magistrate Judge Greenberg for assistance in, and for the limited purpose of, further mediating a particular term of the Settlement Agreement. Since the Parties have been unable to resolve this dispute without the assistance of a third-party mediator, Plaintiffs also request an extension of time to file their Motion for Preliminary Approval until one week after the conference with Magistrate Judge Greenberg to make appropriate revisions to the Settlement Agreement and associated exhibits and the Motion for Preliminary Approval.

WHEREFORE, Plaintiffs in all consolidated actions respectfully request that this Court enter an Order: (i) referring the Parties back to Magistrate Judge Greenberg for assistance in further mediating the Settlement for the purposes described herein; (ii) extending the deadline to file a Motion for Preliminary Approval until one week after the conference with Magistrate Judge Greenberg; and (iii) any additional relief this Court deems equitable and just.

Dated: September 25, 2018

Respectfully Submitted,

/s/ William B. Federman

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CERTIFICATE OF SERVICE

I hereby certify that on September 25, 2018, a copy of the foregoing was served via ECF upon all parties as required by Local Rule.

/s/ William B. Federman
William B. Federman

Interim Lead Counsel for Plaintiffs